

State Identification No. 79-03-30-100-003.000-017
Last Deed of Record: Book 37, Page 266
(Grantor Real Estate)

State ID Nos. 79-02-25-200-001.000-022; and 79-02-25-200-002.000-022
Last Deed of Record: 201919006340
(Grantee Real Estate)

DRAINAGE EASEMENT

THIS INDENTURE WITNESSETH: That Tippecanoe County, by and through its Board of Commissioners (referred to herein as the "Grantor"), as the owner of the real estate described in **EXHIBIT A** attached hereto and made a part hereof ("Grantor Real Estate"), for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby convey to Tippecanoe Development II, LLC, an Indiana limited liability company (together with its successors and assigns, the "Grantee"), as the owner of the real estate described in **EXHIBIT B** attached hereto and made a part hereof ("Grantee Real Estate"), a non-exclusive perpetual easement through, upon, over, along and across the following described real property located in Tippecanoe County, Indiana, ("the Easement") to-wit;

See **EXHIBIT C**.

This Easement is granted for the purpose of providing overland or subsurface paths and courses for the construction, maintenance, preservation of storm drainage. The Grantor reserves for themselves and their successors and assigns the right to use the Easement for any uses which are not inconsistent with the purposes herein.

In the event the Grantee, its employees, or contractors are required to come upon the real estate contained in the Easement to replace, restore, or clear any drainage structures, ditches, drains, or swales contained therein, the Grantee shall promptly restore said premises as near to the original condition as possible.

This Drainage Easement and the agreements herein shall run with the land and shall be binding upon and inure to the benefit of the Grantor and its successors and assigns and upon the Grantee and its successors and assigns.

IN WITNESS WHEREOF, The Grantor has executed this Drainage Easement on this _____ day of _____, 2020.

BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY

By: _____
Tracy A. Brown, President

STATE OF INDIANA }
 }
COUNTY OF TIPPECANOE } SS:

Subscribed and sworn to before me, a Notary Public this _____ day of _____, 2020 personally appeared Tracy A. Brown in his capacity as President of the Board of Commissioners of Tippecanoe County and acknowledged the execution of the foregoing grant of Drainage Easement on behalf of the Board of Commissioners of Tippecanoe County.

WITNESS my hand and official seal.

Notary Public,
Residing in Tippecanoe County, IN

My Commission Expires:

This instrument prepared by: Kevin J. Riley of the firm of REILING TEDER & SCHRIER, LLC, 250 Main Street, Suite 601, Lafayette, IN 47901. Telephone: (765) 423-5333
E-Mail Address: kjr@rtslawfirm.com

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Kevin J. Riley

EXHIBIT A
LEGAL DESCRIPTION OF GRANTOR REAL ESTATE

his wife and acknowledged the execution of the foregoing deed witness my hand and seal this first day of April 1857.

George C. Pico
Justice of the Peace.

A true Record Recorded April 25th 1857 at 1 o'clock P. M.

Joseph Hundt-Recorder

By this deed John Wash and Melinda Wash his wife of Tippecanoe County in the State of Indiana convey and warrant to William P. Evans of Tippecanoe County in the State of Indiana for the sum of Fifty Dollars the following Real Estate in Tippecanoe County in the State of Indiana to wit Lot No twenty two (22) in the town of Clarksburg. In witness whereof the said John Wash Melinda Wash have hereunto set their hand and seal this twenty fourth day of March A. D. 1857.

John Wash
Melinda Wash

The State of Indiana Tippecanoe County set.

Before me Daniel McDonald a Justice of the Peace in and for said County came John Wash and Melinda Wash his wife and acknowledged the execution of the foregoing deed witness my hand and seal this 24th day of March 1857.



Daniel McDonald

A true Record Recorded April 25th 1857 at 2 o'clock P. M.

Joseph Hundt-Recorder

This Indenture witnesses that James M. Pico and Lydia E. Pico of the County of Tippecanoe and State of Indiana in consideration of Ten thousand Dollars to them paid by the Board of Commissioners of the County of Tippecanoe in said State the receipt whereof is hereby acknowledged do hereby grant bargain sell and convey to the said Board of Commissioners of the County of Tippecanoe their successors and assigns forever the following Real Estate in Tippecanoe County and State of Indiana and described as follows to wit. Fifty nine $\frac{1}{100}$ acres off of the South end of the East half of the North East quarter of section thirty (30) Township twenty four (24) North of Range four (4) West. Excepting about one fourth of an acre heretofore conveyed for Grave yard purposes. To wit the South East quarter of the South East quarter of said section. The West half of the South East quarter of said section and sixty eight $\frac{1}{100}$ acres (68 $\frac{1}{100}$) off of the South side of the North West fractional quarter of said section except one acre and one hundred & twenty eight poles in the South West corner of the last named tract. Heretofore conveyed by William Pico & wife to James Henderson by deed recorded in said County in Book 24 page 249. and four $\frac{1}{100}$ acres in the South West quarter of said section. Commencing at the North East corner of said grant thence South $\frac{1}{4}$ of a degree West 28 $\frac{3}{4}$ poles. Thence West 13 $\frac{1}{100}$ poles. Thence South 46 $\frac{1}{100}$ West 46 $\frac{1}{100}$ poles thence East 42 $\frac{1}{100}$ poles to this place after beginning & being the land conveyed to William Pico by James Henderson and wife August 10th 1838. See Record of said County Book 46 pages 95 & 96. Together with all the privileges and appurtenances to the same belonging to have and to hold the same to the said Board of Commissioners of Tippecanoe County their successors and assigns forever. The grantors their heirs and assigns hereby covenanting with the grantees their successors and assigns that the title so conveyed is clear free and unincumbered. That they are lawfully seized

of the premises aforesaid as of a sure and indefeasible estate of inheritance in fee simple and that they will warrant and defend the same against all claims whatsoever. In witness whereof the said James M. Pierce and Lydia C. Pierce have hereunto set their hands and seals this ninth day of June A.D. 1856.

James M. Pierce 
Lydia C. Pierce 

State of Indiana, Tipton County ss

Personally appeared before me the undersigned a Notary Public in and for said County James M. Pierce & Lydia C. Pierce the grantors in the above conveyance and acknowledged the same to be their voluntary act and deed. Witness my hand and Notarial Seal this 9th day of June 1856.





Howard H. Chasler
Notary Public

A true Record Recorded April 25th 1857 at 3 o'clock P.M.

Joseph Gunt-Revised

By this deed William K. Rochester and Madeline Rochester his wife of Tipton County in the State of Indiana convey and warrant to Christian Schenck of Tipton County in the State of Indiana for the sum of one hundred and fifty dollars the following Real Estate in Tipton County in the State of Indiana to wit Lot number forty seven, w/2 in W. K. Rochester's South East Addition to the City of Lafayette. In witness whereof the said William K. Rochester and Madeline Rochester have hereunto set their hands and seals this twenty fifth day of April 1857.

William K. Rochester 
Madeline Rochester 

The State of Indiana Tipton County ss

Before me Thompson H. Graham a Justice of the Peace in and for said County came William K. Rochester and Madeline Rochester and acknowledged the Execution of the foregoing deed. Witness my hand and seal this 25th day of April 1857.

Thompson H. Graham, Justice 

A true Record Recorded April 25th 1857 at 4 o'clock P.M.

Joseph Gunt-Revised

Know all men by these presents that we Ephraim Martin and Rhoda Martin his wife of the County of Tipton and State of Indiana for and in consideration of two hundred and twenty five dollars to us in hand paid, the receipt whereof is hereby acknowledged have sold and do hereby quit claim and convey unto the Lake Erie, Wabash and St. Louis Rail Road Company and to their Successors and assigns, all that tract or parcel of land situated in the County of Tipton and State of Indiana being part of the West half of the South East quarter of Section Ten in Township twenty two North, Range Five West, bounded and described as follows. Being a strip of land running through said West half of the South East quarter of Section Ten as surveyed and located and now occupied by said Company for their Rail Road tracks, the said piece of land being a strip eighty two feet and six inches wide as the same has been surveyed and laid down on the maps and surveys made by the Engineers of said Company for the line and route of their Rail Road with the right also (for to

EXHIBIT B
LEGAL DESCRIPTION OF GRANTEE REAL ESTATE

ERECORD
201919006340
FILED FOR RECORD IN
TIPPECANOE COUNTY, IN
SHANNON WITHERS, RECORDER
05/01/2019 01:36:07PM
DEED \$25.00

Key Number: 132-04500-0021 (79-02-25-200-001.000-022) (Parent 144.306 a)
132-04500-0197 (79-02-25-200-002.000-022) (Parent 1.71 a)

CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH THAT Boanco, Inc., an Indiana corporation, conveys and warrants to Tippecanoe Development II, LLC, an Indiana limited liability company, in consideration of Ten Dollars (\$10.00) and other valuable considerations, the receipt of which is hereby acknowledged, the following described real estate in Tippecanoe County, in the State of Indiana, to wit:

TRACT 1

A part of the Northeast Quarter of Section 25, Township 24 North, Range 5 West, Wabash Township, Tippecanoe County, Indiana, being a part of the Boanco, Inc. real estate as described in Instruments Numbered 198608617819 and 199109109208 in the Office of the Tippecanoe County Recorder, and being depicted on an ALTA / NSPS Land Title Survey prepared by TBIRD Design Services Corp., Project No. 18095, and being more completely described as follows:

COMMENCING at a Berntsen Monument marking the Northeast Corner of said Northeast Quarter; thence along the East Line of said Northeast Quarter, South 0°44'19" East, 100.64 feet to a Berntsen Monument marking the Northwest Corner of Section 30, Township 24 North, Range 4 West; thence continue along said East Line, South 0°44'19" East, 1433.48 feet to the POINT OF BEGINNING; thence continue along said East Line, South 0°44'19" East, 1108.43 feet to a PK Nail with Washer in Wood Post marking the East Quarter Corner of said Section 25; thence along the South Line of said Northeast Quarter, North 89°43'03" West, 990.69 feet; thence parallel with said East Line, North 0°44'19" West, 1090.39 feet; thence North 89°14'21" East, 990.53 feet to the POINT OF BEGINNING, containing 25.00 acres, more or less.

TRACT 2

A part of the Northeast Quarter of Section 25, Township 24 North, Range 5 West, Wabash Township, Tippecanoe County, Indiana, being a part of the Boanco, Inc. real estate as described in Instruments Numbered 198608617819, 199109109208, and 199209228988 in the Office of the Tippecanoe County Recorder, and being depicted on an ALTA / NSPS Land Title Survey prepared by TBIRD Design Services Corp., Project No. 18095, and being more completely described as follows:

COMMENCING at a Berntsen Monument marking the Northeast Corner of said Northeast Quarter; thence along the East Line of said Northeast Quarter, South 0°44'19" East, 100.64 feet to a Berntsen Monument marking the Northwest Corner of Section 30, Township 24 North, Range 4 West; thence

DULY ENTERED FOR TAXATION SUBJECT
TO FINAL ACCEPTANCE FOR TRANSFER

May 01 2019

Robert A. Hartung RI
AUDITOR OF TIPPECANOE CO.

continue along said East Line, South 0°44'19" East, 1433.48 feet; thence South 89°14'21" West, 114.51 feet to a 5/8-inch diameter rebar with yellow plastic cap stamped "TBIRD FIRM #0052" marking the POINT OF BEGINNING; thence continue South 89°14'21" West, 1127.42 feet; thence parallel with said East Line, North 0°44'19" West, 1555.66 feet to the centerline of County Road 600 North; thence along said centerline, being coincident with the North Line of said Northeast Quarter, South 89°46'03" East, 1018.35 feet to a 2-inch long Mag Nail with washer stamped "TBIRD FIRM #0052", hereinafter referred to as a TBIRD Mag Nail; thence continue along said centerline, along a tangent curve to the right having a radius of 477.46 feet and chord bearing South 83°08'30" East, 110.18 feet, an arc distance of 110.43 feet to a TBIRD Mag Nail; thence parallel with said East Line, South 0°44'19" East, 1523.39 feet to the POINT OF BEGINNING, containing 40.00 acres, more or less.

SUBJECT TO easements, rights of way, and restrictions of record, if any.

SUBJECT TO taxes for the year 2018, due and payable in May and November, 2019; and all subsequent taxes.

SUBJECT TO Minimum building lines, utilities, easements, rights-of-way, property line and other matters as shown on the ALTA/ACSM Land Title Survey by TBird Design Services Corporation as Job No. 18095, dated March 31, 2019 and recorded April 4, 2019 as Document No. 201919004742, known as the "Survey".

The undersigned person executing this deed represents and certifies on behalf of the Grantor, that the undersigned is a duly elected officer of the Grantor and has been fully empowered by proper resolution, or the by-laws of the Grantor to execute and deliver this deed; that the Grantor is a corporation in good standing where the subject real estate is situate; that the Grantor has full corporate capacity to convey the real estate described; and that all necessary action for the making of this conveyance has been taken.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 30 day of April, 2019.

Boanco, Inc.

By: Alfred W. Buckley
(written)
Alfred W. Buckley, President
(printed) (title)

STATE OF INDIANA)
) SS:
TIPPECANOE COUNTY)

Before me, a Notary Public in and for said County and State, personally appeared Boanco, Inc., by Alfred W. Buckley, its President, who acknowledged the execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

WITNESS my hand and Notarial Seal this 30 day of April, 2019.

My Commission Expires:



(written) [Signature]
(printed) NOTARY PUBLIC
Resident of _____ County

This instrument prepared by: Kevin J. Riley of the firm of REILING TEDER & SCHRIER, LLC, 250 Main Street, Suite 601, Lafayette, Indiana 47901. Telephone: (765) 423-5333. E-mail: kjr@rtslawfirm.com

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Kevin J. Riley

1856994

Mail Tax Bills To:

TIP Development II
P.O. Box 811
Lafayette, IN
47902

Grantee's address

(if different than billing address)


1012 7th St
Lafayette, IN 47901

EXHIBIT C
LEGAL DESCRIPTION AND DEPICTION OF DRAINAGE EASEMENT

An easement for drainage located in part of the Northeast Quarter of Section 25, Township 24 North, Range 5 West, Wabash Township, Tippecanoe County, Indiana, being a part of the Tippecanoe County Board of Commissioners real estate as described in Deed Book 37, Page 266 in the Office of the Tippecanoe County Recorder, and being more completely described as follows:

COMMENCING at a Berntsen Monument marking the Northeast Corner of said Northeast Quarter; thence along the East Line of said Northeast Quarter, South 0°44'19" East, 100.64 feet to a Berntsen Monument marking the Northwest Corner of Section 30, Township 24 North, Range 4 West; thence continue along said East Line, South 0°44'19" East, 1984.45 feet to the POINT OF BEGINNING; thence continue along said East Line, South 0°44'19" East, 174.33 feet; thence North 89°15'41" East, 38.25 feet; thence North 33°58'46" East, 100.44 feet; thence North 46°51'48" West, 132.41 feet to the POINT OF BEGINNING, containing 0.227 acres, more or less.

SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

1 PROPOSED EASEMENT	PROJECT:	DATE:	TIMBERBROOK MEADOWS SUBDIVISION - PHASE 1  TYPECANOE DEVELOPMENT II, LLC PO BOX 811 LAFAYETTE, INDIANA 47902	100 NORTH 10TH STREET LAFAYETTE, INDIANA (765) 742-5555 info@dsincorp.com www.dsincorp.com Engineering • Surveying Environmental • Construction Management
	DRAWING FILE:			
	CHECKED BY: JRP	DRAWN BY: DLP		